



STATE OF DELAWARE
DEPARTMENT OF SAFETY AND HOMELAND SECURITY
COUNCIL ON POLICE TRAINING
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C.O.P.T. MEETING MINUTES

Tuesday, October 18, 2016

9:00 a.m.

Delaware State Police Academy
Route 13, Dover, Delaware State Police

I. Meeting called to order by Chairman Schiliro at 9:02 a.m.

II. Those in attendance were:

MEMBERS

Mr. Lewis D. Schiliro – Chairman, Council on Police Training

Mr. Robert Irwin – Secretary, Proxy for Matthew P. Denn, Attorney General

Major Robert A. Hudson II – Proxy for Colonel Nathaniel McQueen, Delaware State Police

Captain Stephen Misetic – Proxy for Chief Bobby Cummings, Wilmington Police Department

Captain Laura O'Sullivan – Proxy for Colonel Elmer Setting, New Castle County Police
Department

Chief Paul Bernat – Dover Police Department

Deputy Chief Mark Farrall – Proxy for Chief Paul Tiernan, Newark Police Department

Dr. M. Dean Betts – Proxy for Steven H. Godowsky, Secretary of Education

Mayor Samuel Cooper R. Cooper – President, Delaware League of Local Governments

Mayor Robin R. Christiansen – Mayor of the City of Dover

ADMINISTRATOR

Captain Sean E. Moriarty – Delaware State Police

LEGAL COUNSEL

DAG Rae M. Mims – Department of Justice

GUESTS

Senator Bruce Ennis – 14th District

Senator Dave Lawson – 15th District

Chief Thomas Spell – Lewes Police Department

Captain Scott P. Carrow – DNRP Parks & Recreation

Lieutenant Douglas P. Deveney – Delaware State Police

MPO Carolyn Lund – University of Delaware

Fred Calhoun – State FOP DE

R. A. Capitan – Retired, Dover Police Department

GUESTS (continued)

Chris Foraker – Wilmington University
Heather A. Golding – Delaware State University Police Department
Jeff Hagee – DSSA
Mark Hester – Dover Police Department
Art Jenkins – Office of the Controller General
Angela LaManna – AFSCME Union Council 81
Tim Morris – Retired, Delaware State Police

- III. Review and approval of July 19, 2016, C.O.P.T. meeting minutes
Chairman Schiliro entertained a motion to approve the minutes of the July 19, 2016, meeting. A motion was made by Mayor Christiansen to approve the minutes of the July 19, 2016, meeting; seconded by Dr. Betts; approved unanimously.
- IV. Reactivation of Officers
- A. Captain Moriarty presented Chief Thomas R. Spell from the Lewes Police Department for reactivation. He was formerly with the Wilmington Police Department. Chief Spell has completed all the requirements for reactivation. After being out of law enforcement for 4½ years, Chief Spell said the firearms training and review of Titles 11 and 21 were helpful. Chairman Schiliro entertained a motion to approve Thomas R. Spell for reactivation. A motion was made by Major Hudson to approve the reactivation of Chief Thomas R. Spell; seconded by Chief Bernat; approved unanimously.
- B. Captain Moriarty presented Chief David L. Baylor from the Delaware City Police Department for reactivation. He was formerly with the Delaware State Police. Chief Baylor has completed all the requirements for reactivation. Chief Baylor said the quality of training is much better than it was back in the day and the technology available to us has been very valuable to him. He was glad to have gone through the training. Chairman Schiliro entertained a motion to approve Chief David L. Baylor for reactivation. A motion was made by Dr. Betts to approve the reactivation of Chief David L. Baylor; seconded by Mr. Irwin; vote was 9 for and 1 opposed.
- V. Decertification of Officers
- A. Kelly F. Bowen ~ NCCPD
Kelly Bowen had a decertification hearing on June 3, 2016. The recommendation from the hearing board was to suspend her certification pending the outcome of the grievance procedure. After the completion of the grievance process, Bowen was reinstated with the NCCPD effective October 6, 2016. No

further action needed from the COPT at this time. DAG Mims will send the hearing order for Bowen to collect electronic signatures.

B. Casey W. Fountain ~ DNRP ECU

Captain Moriarty presented Casey W. Fountain from the DNRP Environmental Crimes Unit for decertification. Mr. Fountain signed for his certified letter regarding the hearing notice and did not request a hearing within the 14-day time limit.

Chairman Schiliro entertained a motion to administratively decertify Casey W. Fountain. A motion was made by Mayor Christiansen to administratively decertify Casey W. Fountain; seconded by Mr. Irwin; approved unanimously.

C. Heather A. Golding ~ Delaware State University PD

Captain Moriarty presented Heather A. Golding from the Delaware State University Police Department for decertification. Ms. Golding was in attendance with her union representative, Angela LaManna, from the AFSCME Union Council 81. There was a decertification hearing on June 7, 2016, and a recommendation from the hearing board to decertify Ms. Golding. Ms. LaManna stated Ms. Golding had a family court matter and was disposed of in Family Court. Ms. Golding is scheduled for a pardon hearing on February 23, 2017. Ms. LaManna requested her certification be suspended pending the outcome of her February 23rd hearing. The basis for the decertification was a conviction in Family Court.

Chairman Schiliro entertained a motion to suspend the certification of Heather A. Golding pending the outcome of her pardon. A motion was made by Chief Bernat to suspend the certification of Heather A. Golding pending the outcome of her pardon; seconded by Dr. Betts; vote was 9 for and 1 opposed. Ms. LaManna will keep the board updated throughout the process.

D. Lisa Mayer-Capiro ~ Wilmington PD

Lisa Mayer-Capiro was one of the two Wilmington recruits who was certified erroneously. A certified letter regarding the decertification hearing was returned to the COPT unclaimed. Captain Misetic said she did not finish all of the requirements during training.

Chairman Schiliro entertained a motion to administratively decertify Lisa Mayer-Capiro. A motion was made by Major Hudson to administratively decertify Lisa Mayer-Capiro; seconded by Chief Bernat; approved unanimously.

VI. Certification of Officers

A. 82nd Municipal Recruit Class, graduated August 5, 2016

| <u>NAME</u> | <u>COPT #</u> | <u>DEPARTMENT</u> |
|----------------------------------|---------------|--------------------|
| Anderson, Travis B. | 5230 | DNREC F&W |
| Billy-Attoh, Schatzschneider Jr. | 5231 | DRBA |
| Borden, Kyle J. | 5232 | New Castle City PD |
| Capiak, Derrick S. | 5233 | DRBA |
| Deputy, Howard C. III | 5234 | Dover PD |
| Dryden, Wade G. | 5235 | DRBA |
| Killen, Lee V. | 5236 | Dover PD |
| Leonardi, Thomas C. | 5237 | DRBA |
| Loomis, Tyler M. | 5238 | Dover PD |
| Metzgar, Robert O. III | 5239 | DNREC F&W |
| Millner, Dallas S. | 5240 | Millsboro PD |
| Mulhern, Joseph D. | 5241 | Millsboro PD |
| Norman, Victoria R. | 5242 | DNREC F&W |
| Ritterhoff, Thomas J. | 5243 | DNREC F&W |
| Warker, Kyle R. | 5244 | DRBA |
| Warren, Spenser A. | 5245 | DRBA |
| Watkinson, Brooke N. | 5246 | Harrington PD |

Chairman Schiliro entertained a motion to approve the certification of officers in the 82nd Municipal Recruit Class named above. A motion was made by Mayor Christiansen to approve the certification of officers named above; seconded by Dr. Betts; approved unanimously.

VII. Certified Instructors

A. Certified Instructors course hosted by Capitol Police Department on September 12 – 16, 2016

| <u>Name</u> | <u>Troop/Department</u> |
|---------------------|-------------------------|
| Ballard, Stephen J. | Troop 2 Patrol |
| Dudzinski, John W. | Troop 6 |
| Foraker, Erik B. | Troop 3 Patrol |
| Gatti, Andrew D. | Intelligence |
| Kunicki, Robert J. | Troop 6 |
| Underwood, Derek L. | EPU |

| | |
|-----------------------|---------------------|
| Ogden, Brooks S. Jr. | Dover PD |
| Schmidt, Colin W. | Dover PD |
| Thompson, Ian Z. | Dover PD |
| Warren, Nathaniel III | Dover PD |
| Wood, James C. | Dover PD |
| Sauve, Curtis A. | Rehoboth Beach PD |
| Whitman, R. Tyler | Rehoboth Beach PD |
| Cooper, Joseph G. | University of DE PD |
| Jordan, Ryan M. | Wilmington PD |
| Pfaff, Kimberly A. | Wilmington PD |
| Vega, Nelida M. | Wilmington PD |

Chairman Schiliro entertained a motion to approve the certified instructors named above. A motion was made by Mayor Christiansen to approve the certified instructors named above; seconded by Chief Bernat; approved unanimously.

VIII. Old Business

A. AG Denn / Wilmington PD ~ Discussion of McDole Report

AG Denn was invited to attend today's meeting to provide clarification on the training issue that was raised. AG Denn could not attend due to a scheduling conflict.

Chairman Schiliro stated there are two issues dealing with training: legal and tactical application. We generally do a good job providing the legal updates but can we do better with tactics? Are we providing them the right tactical foundation? Are we doing enough to bring all departments up to the minimum level, especially with the smaller departments?

Chairman Schiliro entertained a motion to look at minimum standards as we did with the patrol rifle and then take it to the chiefs and see if they would agree to incorporate it with the firearms qualifications.

Motion made by Mayor Christiansen; no second; all approved.

- ##### B. COPT Award ~ No update since last meeting; we are still looking at it as to how we are going to implement it.
- ##### C. Annual Survey ~ DAG Mims reviewed feedback on the survey. It should be ready to roll out in January as usual. Chairman Schiliro would like to generate a letter to the Delaware General Assembly to fund a position for the COPT. Deputy Chief Farrall requested the survey be sent earlier to have time to get the data together. DAG Mims said we will try to have it out by Thanksgiving.

D. Firearms Instructor Recertification

Chairman Schiliro would like to send a survey to the chiefs to get a list of their current certified instructors, including retirees, with their qualifications. He would like to vote at the next meeting on each instructor. The board will consider retirees for certification.

The State adopted the Federal 218 (LEOSA) several years ago. DAG Mims stated the law states that each agency is responsible for H.R. 218. COPT can only certify firearms instructors to teach in police training schools and H.R. 218 has nothing to do with what they do on the side.

IX. New Business

A. Captain Scott Carrow ~ Seasonal Park Patrol Officers

It is unclear if they meet the definition of a seasonal officer. They do not have arrest powers, not even parking tickets. They are provided nearly 60 hours of training that almost mirrors the seasonal police officer training. There is no driving, no firearms, no arrest powers, and no DELJIS access. They are young men and women from 19 years of age to retirees, who work three to nine months and sometimes year-round. It would hurt the department to put on the full seasonal class with EVOC training and everything else that goes along with it, and to pay to get internet access to get to the DELJIS website and money for a certificate. They wear tan pants and a green polo shirt that says "Park Patrol". DAG Mims said they are not seasonal officers and not covered by COPT. She stated that DNRP needs to change the job title and remove "officer".

X. Adjournment

Meeting adjourned at 10:37 a.m.

Next meeting: Tuesday, January 17, 2017, at 0900 hours at the DSP Training Academy in Dover.